

## HOUSE BILL NO. 566

INTRODUCED BY J. COHENOUR

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS GOVERNING LICENSE PLATES AND REGISTRATION DECALS; REQUIRING THE LETTERS AND NUMBERS FOR ALL TYPES OF LICENSE PLATES TO BE EMBOSSSED ON THE PLATES; REQUIRING THAT MOTOR VEHICLE REGISTRATION DECALS HAVE THE MONTH OF REGISTRATION AND A DISTINCTIVE COLOR FOR EACH YEAR; REQUIRING THE DEPARTMENT OF JUSTICE TO ISSUE TWO REGISTRATION DECALS TO BE APPLIED TO THE FRONT AND REAR LICENSE PLATES; AMENDING SECTIONS 61-1-515, 61-3-312, 61-3-317, 61-3-332, 61-3-333, 61-3-463, 61-3-474, 61-3-526, AND 61-3-535, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 61-1-515, MCA, is amended to read:

**"61-1-515. Registration decal.** "Registration decal" means an adhesive sticker produced by the department and issued by the department, its authorized agent, or a county treasurer to the owner of a motor vehicle, as defined in 61-1-102, as proof of payment of all fees imposed for the registration period, as recorded by the department under 61-3-101, indicated on the sticker as recorded by the department under 61-3-101 by the month of registration printed on the sticker and by a distinctive color for each calendar year or indicating permanent registration."

**Section 2.** Section 61-3-312, MCA, is amended to read:

**"61-3-312. Renewal of registration -- exceptions -- grace period.** (1) Except as provided in 61-3-311(1), 61-3-314, 61-3-318, 61-3-526, 61-3-560, 61-3-562, and 61-3-721, the registration of a vehicle under this chapter expires on December 31 of each year and must be renewed annually upon payment of registration fees as provided in 61-3-303 and 61-3-321. The renewal takes effect on January 1 of each year. A registration receipt is valid only during the registration year for which it is issued.

(2) The owner of a vehicle registered under the provisions of this section may operate the vehicle between January 1 and February 15 without displaying the registration ~~decal~~ decals of the current year if, during

the period, the owner displays upon the vehicle the number plates or plate assigned for the previous year."

**Section 3.** Section 61-3-317, MCA, is amended to read:

**"61-3-317. New registration required for transferred vehicle -- grace period -- penalty -- display of proof of purchase.** (1) Except as otherwise provided in this section, the new owner of a transferred motor vehicle has a grace period of 20 calendar days from the date of purchase to make application for a certificate of title and pay the registration fees, fees in lieu of tax and other fees required by part 5 of this chapter, and local option taxes, if applicable, unless the fees and taxes have been paid for the year or for the 24-month period as provided in 61-3-315, as if the vehicle were being registered for the first time in that registration year.

(2) The new owner of a vehicle described in 61-3-303(9) shall make application and pay the registration fees, fees in lieu of tax, and other fees required by part 5 of this chapter and local option taxes, if applicable, whether or not the fees and taxes have been paid previously.

(3) If the motor vehicle was not purchased from a licensed motor vehicle dealer as provided in this chapter, it is not a violation of this chapter or any other law for the purchaser to operate the vehicle upon the streets and highways of this state without a current registration receipt or registration ~~decal~~ decals during the 20-day period if at all times during that period, a temporary registration permit, obtained from the county treasurer or a law enforcement officer as authorized by the department, is clearly displayed in the rear window of the motor vehicle or, if a durable placard has been issued for the vehicle, the placard is attached to the rear of the vehicle.

(4) Registration fees collected under 61-3-321 are not required to be paid when a license plate is transferred under 61-3-335 and this section.

(5) Failure to make application for a certificate of title within the time provided in this section subjects the purchaser to a penalty of \$10. The penalty must be collected by the county treasurer at the time of registration and is in addition to the fees otherwise provided by law. The penalty must be deposited in the state general fund."

**Section 4.** Section 61-3-332, MCA, is amended to read:

**"61-3-332. Number plates.** (1) A motor vehicle that is driven upon the streets or highways of Montana must display both front and rear number plates, bearing the distinctive number assigned to the vehicle.

(2) In addition to special license plates, collegiate license plates, and generic specialty license plates

1 authorized under this chapter, a separate series of number plates must be issued, in the manner specified, for  
2 each of the following vehicle or dealer types:

3 (a) passenger vehicles, including automobiles, vans, and sport utility vehicles;

4 (b) motorcycles and quadricycles, bearing the letters "MC" or "CYCLE";

5 (c) trucks, bearing the letter "T" or the word "TRUCK";

6 (d) trailers, bearing the letters "TR" or the word "TRAILER";

7 (e) dealers of new, or new and used, motor vehicles, including trucks and trailers, bearing the letter "D"  
8 or the word "DEALER";

9 (f) dealers of used motor vehicles only, including trucks and trailers, bearing the letters "UD" or the letter  
10 "U" and the word "DEALER";

11 (g) dealers of motorcycles or quadricycles, bearing the letters "MCD" or the letters "MC" and the word  
12 "DEALER";

13 (h) dealers of trailers or semitrailers, bearing the letters "DTR" or the letters "TR" and the word  
14 "DEALER"; and

15 (i) dealers of recreational vehicles, bearing the letters "RV" or the letter "R" and the word "DEALER".

16 (3) (a) Except as provided in 61-3-479 and subsections (3)(b), (4)(c), and (4)(d) of this section, all  
17 number plates for motor vehicles must be issued for a minimum period of 4 years, bear a distinctive marking,  
18 and be furnished by the department. In years when number plates are not issued, the department shall provide  
19 ~~a two registration decal that~~ decals. The decals must be affixed to the front and rear license ~~plate plates~~ of the  
20 vehicle.

21 (b) For light vehicles that are permanently registered as provided in 61-3-527 or 61-3-315 and 61-3-562  
22 and vehicles described in 61-3-303(9) that are permanently registered, the department shall provide ~~a two~~  
23 distinctive registration ~~decal~~ decals indicating that the vehicle is permanently registered. The registration ~~decal~~  
24 decals must be affixed to the front and rear license ~~plate plates~~ of the permanently registered vehicle.

25 (4) (a) Subject to the provisions of this section, the department shall create a new design for number  
26 plates as provided in this section, and it shall manufacture the newly designed number plates for issuance after  
27 December 31, 2005, to replace at renewal, as required in 61-3-312 and 61-3-314, number plates that were  
28 displayed on motor vehicles before that date.

29 (b) Beginning January 1, 2006, the department shall manufacture and issue new number plates after  
30 the existing plates have been used for a minimum period of 4 years.

(c) A light vehicle that is registered for a 24-month period, as provided in 61-3-315 and 61-3-560, may display the number plate and plate design in effect at the time of registration for the entire 24-month registration period.

(d) A light vehicle described in subsection (3)(b) that is permanently registered may display the number plate and plate design in effect at the time of registration for the entire period that the vehicle is permanently registered.

(5) For passenger vehicles and trucks, plates must be of metal 6 inches wide and 12 inches in length. Except for generic specialty license plates, the outline of the state of Montana must be used as a distinctive border on the license plates, and the word "Montana" must be placed on each plate. Registration plates must be treated with a reflectorized background material according to specifications prescribed by the department.

(6) The distinctive registration numbers must begin with a number one or with a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. Except for special license plates, collegiate license plates, and generic specialty license plates, the distinctive registration number or letter-number combination assigned to the vehicle must appear on the plate preceded by the number of the county and appearing in horizontal order on the same horizontal baseline. The county number must be separated from the distinctive registration number by a separation mark unless a letter-number combination is used. The dimensions of the numerals and letters must be determined by the department, and all county and registration numbers must be of equal height and must be embossed on the plate.

(7) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration fee as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must bear the following distinctive markings:

(a) For vehicles owned by the state, the department may designate the prefix number for the various state departments. All numbered plates issued to state departments must bear the words "State Owned", and a year number may not be indicated on the plates because these numbered plates are of a permanent nature and will be replaced by the department only when the physical condition of numbered plates requires it.

(b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and operated by officials and employees in the line of duty and for vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees in the line of duty, there must be placed on the number plates assigned, in a position that the department may

1 designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned to motor  
2 vehicles of each of the counties in the state and those of the municipalities and special districts that obtain plates  
3 within each county must begin with number one and be numbered consecutively. Because these number plates  
4 are of a permanent nature, they are subject to replacement by the department only when the physical condition  
5 of the number plates requires it and a year number may not be displayed on the number plates.

6 (8) Number plates issued to a passenger vehicle, truck, trailer, motorcycle, or quadricycle may be  
7 transferred only to a replacement passenger vehicle, truck, trailer, motorcycle, or quadricycle. A registration fee  
8 may not be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.

9 (9) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:  
10 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;  
11 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;  
12 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;  
13 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;  
14 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;  
15 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,  
16 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must  
17 be assigned numbers by the department as they are formed, beginning with the number 57.

18 (10) Each type of special license plate approved by the legislature, except collegiate license plates  
19 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be  
20 a separate series of plates, numbered as provided in subsection (6), except that the county number must be  
21 replaced by a nonremovable design or decal designating the group or organization to which the applicant  
22 belongs. Unless otherwise specifically stated in this section, the special plates are subject to the same rules and  
23 laws as govern the issuance of regular license plates, must be placed or mounted on a vehicle owned by the  
24 person who is eligible to receive them, with the registration ~~decal~~ decal affixed to the front and rear license ~~plate~~  
25 plates of the vehicle, and must be removed upon sale or other disposition of the vehicle.

26 (11) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon  
27 written application on a form prescribed by the department, be issued a special license plate with a design or  
28 decal bearing a representation of a wheelchair as the symbol of a person with a disability. If the vehicle to which  
29 the license plate is attached is permanently registered, the owner of the vehicle shall maintain evidence of  
30 continued eligibility to use the license plate, which must be attached to the registration document in the vehicle.

(12) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through 61-3-733."

**Section 5.** Section 61-3-333, MCA, is amended to read:

**"61-3-333. Replacing number plates.** If loss, mutilation, or destruction of number plates or one or both of a motor vehicle's registration ~~decals~~ decals occurs, the owner of the registered motor vehicle may obtain from the department replacements of the number plates or a duplicate registration ~~decals~~ decals upon filing a sworn declaration stating that fact and payment of a fee of \$5. If loss, mutilation, or destruction of pioneer plates occurs, duplicates may be obtained in the same manner upon payment of a fee of \$5."

**Section 6.** Section 61-3-463, MCA, is amended to read:

**"61-3-463. Collegiate license plates.** (1) Subject to the provisions of 61-3-332(4) and the requirement that collegiate license plates must have a white reflectorized background, the department shall design, cause to be manufactured, and issue collegiate license plates as provided in 61-3-464 through 61-3-466.

(2) After consultation with each institution, the department shall prescribe the color and insignia to be displayed on the collegiate license plates for each institution.

(3) In addition to each institution's distinctive color and insignia provided in subsection (2), each collegiate license plate must:

(a) be imprinted consecutively with distinctive numerals from 1 through 99999, capital letters A through Z, or a combination of numerals and letters that must be embossed on the plate; and

(b) bear a registration decal denoting the correct county designation under 61-3-332.

(4) The department shall determine the minimum and maximum number of characters, including both numerals and letters, on the collegiate license plates.

(5) An issue of collegiate license plates may not be ordered or manufactured for any individual institution unless at least 400 sets of plates are ordered and prepaid."

**Section 7.** Section 61-3-474, MCA, is amended to read:

**"61-3-474. Responsibility for design of generic specialty license plates -- numbering -- rulemaking -- approval -- registration ~~decals~~ decals -- listing of plate sponsors.** (1) The department shall:

(a) design the background and general format of generic specialty license plates;

(b) in consultation with the department of corrections and providing for the registration numbers and letters to be embossed on the plate, determine which license plate processing system is the most efficient and versatile manufacturing method for the production of generic specialty license plates;

(c) use a numbering system for generic specialty license plates that is distinctive from the numbering system required under 61-3-332 or used for collegiate license plates;

(d) adopt rules that prescribe:

(i) the minimum and maximum number of characters that a generic specialty license plate may display;

(ii) the general placement of the sponsor's name, identifying phrase, and graphic; and

(iii) any specifications or limitations on the use or choice of color or detail in the sponsor's graphic design.

(2) All sponsor names, identifying phrases, and graphics intended for use on generic specialty license plates must be approved by the department prior to the manufacture of the plates.

(3) Upon the issuance of generic specialty license plates, the department shall provide registration decals bearing the appropriate county designation as provided in 61-3-332. The registration ~~decal~~ decals must be affixed to the license plates in use in accordance with instructions by the department.

(4) The department shall maintain a list of the sponsors that have been approved to promote the sale and issuance of generic specialty license plates, the initial distribution date for sale of each sponsored generic specialty license plate, and the donation fee established by the sponsor for each sponsored generic specialty license plate. The department shall, upon request, make copies of this list available to interested members of the public.

(5) The department may, in its discretion, revoke its previous approval of a sponsor's generic specialty license plate sponsorship if:

(a) the sponsor fails to comply with the provisions of 61-3-472 through 61-3-481;

(b) fewer than 400 sets of a sponsor's generic specialty license plate have been sold or renewed in the 12-month period immediately preceding the third anniversary of the date of initial distribution of the sponsored generic specialty license plate; or

(c) the department has reliable information that the sponsor is no longer qualified for sponsorship under 61-3-472 through 61-3-481.

(6) (a) Upon revocation of a sponsor's generic specialty license plate sponsorship status, the issuance and sale of the sponsor's generic specialty license plates must be terminated and a donation fee may not be charged or collected upon registration renewal of a vehicle displaying previously issued generic specialty license

plates affiliated with that sponsor.

(b) A person who owns a vehicle displaying valid generic specialty license plates affiliated with a sponsor whose sponsorship status has been revoked may continue to display those generic specialty license plates on the person's vehicle if the vehicle's registration is properly renewed in subsequent years and the plates remain legible.

(c) Following revocation of a sponsor's sponsorship status, the department may not issue duplicates of generic specialty license plates affiliated with that sponsor that are lost, destroyed, or mutilated."

**Section 8.** Section 61-3-526, MCA, is amended to read:

**"61-3-526. Registration of motor homes and travel trailers -- reregistration by mail allowed. (1)**

Except for a motor home displaying amateur radio operator license plates as provided in 61-3-421, all registrations of motor homes expire annually on April 30. Application for registration or reregistration must be made to the county treasurer not later than June 15. Reregistration may be made by mail in the manner provided in 61-3-535. If the ownership of a motor home is transferred during the registration year, it must be reregistered as provided by statute.

(2) The owner of a motor home registered under the provisions of this section may operate the vehicle between May 1 and June 15 without displaying the certificate of registration of the current registration year if the owner, during that period, displays upon the motor home the number plates or plate or the registration ~~decal~~ decals assigned to the motor home for the previous registration year.

(3) A travel trailer that is initially registered under this chapter remains registered unless ownership of the travel trailer is transferred. If ownership is transferred, the new owner shall register the travel trailer as if the travel trailer were being registered for the first time.

(4) The department shall adopt rules to assign a registration period for motor homes that display amateur radio operator license plates."

**Section 9.** Section 61-3-535, MCA, is amended to read:

**"61-3-535. Vehicle reregistration by mail -- reminder notice and reregistration notice by mail. (1)**

The department may allow the owner of a motor vehicle to renew the registration of a vehicle by mail when the value, age, length, weight, or other criteria used to determine the tax or fee for a particular type of vehicle is available to the department by electronic means.

(2) Any mail reregistration procedure developed by the department must include a procedure to facilitate automated handling of mail reregistration and must provide for a written reminder notice by mail to a vehicle owner of the requirement to reregister the owner's vehicle with the county treasurer or to apply for the annual registration ~~decals~~ decals.

(3) The department shall adopt rules to implement the mail reregistration and registration decal application procedure."

**NEW SECTION.** **Section 10. Effective date.** [This act] is effective January 1, 2006.

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